1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/18
17 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS AND DEPUTY HEAD OF THE CHINESE DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Upon instruction of the Chinese Government, I have the honour to transmit to you the national report of the People's Republic of China on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. A Chinese text of the report and its English translation is attached herewith.

I should be grateful if you could make arrangements for the distribution of the present letter and the annexed national report as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) LI Zhaoxing
Ambassador
Permanent Representative
Deputy Head of the Chinese Delegation

Annex

[Original: Chinese/English]

NATIONAL REPORT OF THE PEOPLE'S REPUBLIC OF CHINA ON THE IMPLEMENTATION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The People's Republic of China supports the three major objectives of the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the Treaty), namely, prevention of proliferation of nuclear weapons, promotion of nuclear disarmament and enhancement of international cooperation for the peaceful uses of nuclear energy. Since its accession to the Treaty in 1992, China has strictly abided by the provisions of the Treaty and has been making untiring efforts for the realization of these objectives. The People's Republic of China, as required by the Preparatory Committee for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, hereby reports on its implementation of the Treaty as follows.

I. PREVENTION OF PROLIFERATION OF NUCLEAR WEAPONS

China has faithfully fulfilled its obligations under the Treaty for the prevention of proliferation of nuclear weapons. It has always stood for the complete prohibition and thorough destruction of nuclear weapons and maintained the policy of not endorsing, encouraging or engaging in the proliferation of nuclear weapons, or assisting other countries in developing such weapons. At the same time, China maintains, while preventing nuclear weapons proliferation, one should not be oblivious of the legitimate rights, interests and demands of States, particularly the vast number of the developing countries, for the peaceful uses of nuclear energy. It is absolutely inadmissible to adopt double standards or, under the pretext of preventing nuclear weapons proliferation, to restrict or hamper the use of nuclear energy by developing countries for peaceful purposes.

China believes that the safeguards system of the International Atomic Energy Agency (IAEA) is an important means to ensure the effectiveness of the Treaty. China had committed itself to the obligations set out by the IAEA statute, including that of safeguards, even before acceding to the Treaty. After its accession in 1992, China has earnestly fulfilled all its obligations under the Treaty for safeguards and cooperated fully with IAEA in this regard. China adheres to three principles on nuclear export. First, the export should be exclusively for peaceful purposes. Second, the export should be subject to the IAEA safeguards and third, such export should not be retransferred to a third country without the consent of China. Besides, only companies specially designated by the Government of China are permitted to engage in such exports and the export applications are subject to approval by the competent government departments on a case-by-case basis. Any nuclear material or equipment exported by China is subject to the IAEA safeguards. China has never exported such sensitive technologies or equipment as those for uranium enrichment, reprocessing and heavy-water production.

To support the IAEA safeguards, China made an official announcement in November 1991 that it would notify IAEA of its export to and import from non-nuclear-weapon States of more than one effective kilogramme of nuclear material on a continuous basis. It further undertook in July 1993 to notify IAEA of all its import and export of nuclear materials and its export of nuclear equipment and related non-nuclear materials on a voluntary basis.

In 1985, China announced its decision to voluntarily put part of its civilian nuclear facilities under the safeguards of IAEA. In 1989, China and IAEA concluded the Agreement for the Application of Safeguards in China and hence has voluntarily offered IAEA a list of facilities for safeguards and established a system of accounting and control for nuclear materials under the safeguards. This system is supervised, managed and operated by the competent government departments, the authorities in charge of the facilities under the IAEA safeguards and other technical supporting agencies. The competent government departments are responsible for the overall administration and implementation of the safeguards agreement between China and IAEA, while the authorities in charge of the facilities concerned are responsible for the establishment of a measuring system, a recording and reporting system according to the agreement. Those facilities are open to the IAEA inspectors for on-site inspection.

II. INTERNATIONAL COOPERATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY

China holds that the peaceful uses of nuclear energy and international cooperation in this regard are an inalienable right of all States parties, the developing countries in particular, as it is also an important element for achieving a balance between rights and obligations under the Treaty. The effort to prevent nuclear weapon proliferation should facilitate rather than hamper the peaceful uses of nuclear energy. To enhance international cooperation for the peaceful uses of nuclear energy is one of the important objectives of the Treaty and, therefore, should be accorded the same importance as other objectives.

As a developing country with some nuclear industrial capabilities, China has strictly observed the relevant provisions of the Treaty and vigorously carried out mutually beneficial cooperation with other countries in the area of peaceful uses of nuclear energy. For that purpose, the Government of China has signed governmental agreements of cooperation on the peaceful uses of nuclear energy with 14 countries: Argentina, Belgium, Brazil, Canada, Germany, Iran (Islamic Republic of), Japan, Pakistan, Republic of Korea, Romania, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and the former Yugoslavia. It has provided as much assistance to the developing countries as possible in the areas of nuclear scientific research and the utilization of nuclear energy. China has exported a 300 MW nuclear power plant to Pakistan, miniature neutron source reactors to Ghana, the Islamic Republic of Iran, Pakistan and the Syrian Arab Republic and provided a heavy-water research reactor to Algeria. In the mean time, China has carried out cooperation with the developed countries. It has exported nuclear materials to Canada, France, Germany and the United States of America, while importing some advanced nuclear technology and facilities to meet its needs in energy development. With the

in-depth implementation of the policy of reform and opening-up and the economic development, China will expand and strengthen its cooperation with the rest of the world in the area of peaceful uses of nuclear energy.

China and IAEA have carried out fruitful exchanges and cooperation in the fields of nuclear power plant construction, nuclear safety, irradiation and nuclear technology application. Thanks to the cooperation and support of IAEA, a number of training centres have been set up in China, which have helped improve the long-term training capacity of the country. The technical standards of some laboratories have been updated and the professional level of the scientific and technological personnel has been raised. In its cooperation with IAEA, China attaches importance to two-way assistance. China has received scientists and technical personnel from the developing countries for study tours and training courses and has sent experts abroad upon request to render technical services and give lectures for trans-regional projects and international training courses.

China maintains that IAEA and the countries concerned should attach importance to increased technical assistance to and cooperation with the developing countries. Efforts should be made to remove those unreasonable restrictions on transfer of nuclear energy technology so as to help the developing countries master the technology for peaceful uses of nuclear energy and to create favourable conditions for the establishment of a new international cooperative relationship in the field of nuclear energy.

III. NUCLEAR DISARMAMENT

China maintains that the prevention of proliferation of nuclear weapons is not an end in itself, but an intermediate step towards the ultimate goal of complete prohibition and thorough destruction of nuclear weapons. China stands for the complete prohibition and thorough destruction of nuclear weapons in the same way as the prohibition of chemical and biological weapons, so as to free mankind of the threat of nuclear war, thus making a substantive contribution to world peace, security and stability.

Proceeding from this basic position, China maintains that the nuclear-weapon States should negotiate and conclude at an early date a treaty on the prohibition of nuclear weapons, thereby undertaking to ban and destroy all their nuclear weapons under effective international supervision. China appeals to other nuclear-weapon States to make an immediate and positive response.

China does not endorse the policy of nuclear deterrence. The nuclear weapons developed by China are solely for self-defence, never meant to threaten any other country. During the period of the nuclear arms race between the largest nuclear-weapon Powers in the cold war or any other period, China has always advocated the complete prohibition and thorough destruction of nuclear weapons and never taken part in the nuclear arms race. China has always exercised the utmost restraint with respect to the development of nuclear weapons and kept its nuclear arsenal to a minimum level.

China has also exercised restraint with regard to nuclear testing. It has conducted fewer such tests than any other nuclear-weapon State.

China has never taken part in an arms race in outer space.

China has actively participated in the negotiations on a comprehensive test-ban treaty at the Conference on Disarmament at Geneva and made its due contribution to the negotiation process.

China has adopted a positive attitude towards the negotiation and conclusion of a convention prohibiting the production of fissile materials for nuclear weapons. The Foreign Minister of China and the Secretary of State of the United States of America have signed a joint statement to promote the conclusion through negotiations of such a convention.

Since the first day when it came into possession of nuclear weapons, China has unilaterally and unconditionally pledged in explicit terms not to be the first to use nuclear weapons. For the purpose of initiating negotiations among the nuclear-weapon States on a treaty of mutual no-first-use of nuclear weapons, China has formally presented a draft treaty to the other four nuclear-weapon States, proposing that the five nuclear-weapon States start off the first round of consultations in Beijing.

President Jiang Zemin of China and President Yeltsin of the Russian Federation issued a joint statement in September 1994, reaffirming the commitment of both countries to the mutual no-first-use of nuclear weapons and declaring the detargeting of nuclear weapons under their respective control, away from each other. We hope that this will lead to a joint commitment of mutual no-first-use of nuclear weapons by all five nuclear-weapon States.

China has long undertaken unilaterally and unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones, and has actively worked for the conclusion of an international legal instrument to this effect. China supports the establishment on a voluntary basis and through consultations and respects the status of nuclear-weapon-free zones and zones free of weapons of mass destruction.

China signed on 21 August 1973 Additional Protocol II to the Treaty of Tlatelolco (Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean), pledging not to use or threaten to use nuclear weapons against that nuclear-weapon-free zone and countries in the zone under any circumstance, or to test, manufacture, produce, store, install or deploy nuclear weapons in those countries or in the region as a whole. It further undertakes not to pass its delivery vehicles of nuclear weapons through the territory of the countries in the zone, including their territorial waters and air space.

China signed on 10 February 1987 Additional Protocols II and III to the treaty of Rarotonga, undertaking to respect the status of the South Pacific as a nuclear-weapon-free zone and not to use or threaten to use nuclear weapons against that zone under any circumstance; nor will it carry out any nuclear weapon test in the region.

China welcomes and supports the efforts made by African countries to conclude a treaty on establishing the African nuclear-weapon-free zone.

At the request of Ukraine and Kazakhstan, China issued governmental statements in December 1994 and February 1995, respectively, to provide them with security assurances.

China issued a statement on 5 April 1995, reaffirming the provision of negative security assurances to all non-nuclear-weapon States and undertaking to provide positive security assurances to those States as well.

In order to push forward the process of nuclear disarmament, China presented at the forty-ninth session of the United Nations General Assembly a whole set of interrelated proposals on nuclear disarmament. These proposals, among other things, call on nuclear-weapon States immediately to negotiate and conclude a treaty on mutual no-first-use of nuclear weapons, to undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones, to conclude a comprehensive test-ban treaty and a convention on the complete prohibition of nuclear weapons. These proposals also call for the conclusion of a convention banning the production of fissile materials for nuclear weapon purposes. China is ready to join other countries in an effort to advance the process of nuclear disarmament so as to attain the lofty goal of the complete prohibition and thorough destruction of nuclear weapons.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/19
18 April 1995

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New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE ALTERNATE HEAD OF THE INDONESIAN DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

On behalf of the group of non-aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, I have the honour to transmit herewith a working paper on the 1995 Review and Extension Conference, which was adopted by the Senior Official Meeting of the Movement of Non-aligned States, held in New York on 12 and 13 April 1995.

I would highly appreciate it if the present letter and its annex could be circulated as an official document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and at the same time be made available to all States parties to the Treaty.

(Signed) Izhar IBRAHIM
Ambassador
Alternate Head of the Indonesian Delegation

Annex

WORKING PAPER OF THE GROUP OF NON-ALIGNED AND OTHER STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS ON THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY

INTRODUCTION

1. The non-aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons consider the 1995 Review and Extension Conference of the Parties to the Treaty as a significant and unique opportunity to review in depth the performance of the Treaty during the past 25 years and to strengthen its regime in all its aspects in pursuit of the objectives of totally eliminating nuclear weapons, promoting peaceful uses of nuclear energy and achieving universal adherence to the Treaty, thereby enhancing international peace and security.

2. Such an exercise calls for a careful examination and realistic assessment of the obligations and responsibilities undertaken by both nuclear-weapon and non-nuclear-weapon States parties to the Treaty. The extent to which these objectives have been met constitutes an essential element for a decision on the length of the extension.

REVIEW

3. As already agreed, the review of the operation of the Treaty must precede the decision on its extension. Based on article VIII, paragraph 3, of the Treaty, the review process should assess and determine the extent to which the purposes of the preamble and the provisions of the Treaty have been so far realized, so as to chart a future course of action for their full realization in the earliest time possible. Accordingly, the review process should be based on a balanced approach and should serve to identify the specific objectives to be achieved in the coming years with a view to enhancing the operation of and full compliance with the Treaty.

4. As has been consistently demanded by the Movement of Non-aligned States and also stipulated in the document for the third session of the Preparatory Committee (NPT/CONF.1995/PC.III/13) submitted by Indonesia on behalf of the group of non-aligned and other States, the following measures are essential to the strengthening as well as to the full realization and effective implementation of the objectives of the Treaty:

Nuclear disarmament

(a) Immediate cessation of the nuclear arms race, leading to nuclear disarmament and the attainment of general and complete disarmament under strict and effective international control;

(b) An immediate conclusion and implementation of a universal, internationally and effectively verifiable comprehensive test-ban treaty;

(c) A legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons;

(d) A non-discriminatory and universally applicable treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices;

(e) A programme of action for significant reduction of nuclear weapons, leading to total elimination of such weapons and their delivery vehicles within a time-bound framework;

Security assurances

(f) A legally binding instrument on effective, unconditional and comprehensive security assurances, both positive and negative, to non-nuclear-weapon States;

Nuclear-weapon-free zones

(g) Facilitating the establishment of nuclear-weapon-free zones and full adherence by all nuclear-weapon States to the instruments relating to such zones;

Peaceful uses of nuclear energy

(h) Full and unimpeded access to nuclear technology for peaceful purposes for all the States parties without discrimination;

(i) Application of comprehensive and strengthened IAEA safeguards to all nuclear activities and facilities;

Universality

(j) All efforts must be made for ensuring the universality of the Treaty.

EXTENSION

5. Any decision to be taken in accordance with article X, paragraph 2, of the Treaty should be based on the proper review of the operation of the Treaty, which should ensure the realization of the purposes of the preamble and provisions of the Treaty and lead to its universality in the near future. For this reason, that decision should faithfully reflect the spirit and the letter of article X, paragraph 2, and be characterized by:

(a) Consensus, in the interest of strengthening the Treaty;

(b) Recognition of the legitimate concerns of all States parties;

(c) Compatibility with the Treaty's stated objectives;

(d) An effective period review by the States parties for continued and close scrutiny to ensure full implementation of the Treaty leading to the total elimination of nuclear weapons.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/20
19 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 17 APRIL 1995 FROM THE REPRESENTATIVES OF FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

We have the honour to forward to you the text of a declaration by France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

We should be grateful if you would kindly take the appropriate steps to register the present letter and its annex as a document of the 1995 Review and Extension Conference of the Parties to the Treaty, and to have it distributed to the participants in the Conference.

(Signed) Gerard ERRERA
Ambassador
France

(Signed) Grigori V. BERDENNIKOV
Ambassador
Russian Federation

(Signed) Sir Michael WESTON
Ambassador
United Kingdom of Great Britain
and Northern Ireland

(Signed) Stephen J. LEDOGAR
Ambassador
United States of America

Annex

DECLARATION DATED 6 APRIL 1995 BY FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

We wish to express our continuing strong support for the Treaty on the Non-Proliferation of Nuclear Weapons, our desire that the forthcoming Review and Extension Conference in New York should decide on its indefinite and unconditional continuation in force and our determination to continue to implement fully all the provisions of the Treaty, including those in article VI.

We welcome the fact that the nuclear arms race has ceased and that, in keeping with the fundamental changes that have taken place with respect to international security, important steps have been taken towards nuclear disarmament, as a result of the agreements on deep reductions in the nuclear armaments of the Russian Federation and the United States of America, as well as the significant reductions made by France and the United Kingdom of Great Britain and Northern Ireland in their nuclear weapon programmes.

We welcome the important progress made at the Conference on Disarmament in the multilateral negotiations on a comprehensive nuclear test-ban treaty to which we are all contributing actively.

We also welcome the establishment by the Conference on Disarmament of an Ad Hoc Committee with a mandate to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. We urge that the negotiations begin forthwith.

We underline the importance of the harmonized security assurances which we have given to non-nuclear-weapon States parties to the Treaty against the use of nuclear weapons, as well as the commitments as regards the provision of appropriate assistance to a non-nuclear-weapon State party to the Treaty victim of aggression or threat of aggression with nuclear weapons. We believe that these strengthen international peace and security.

We solemnly reaffirm our commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal.

We reaffirm our determination to continue to negotiate intensively, as a high priority, a universal and multilaterally and effectively verifiable comprehensive nuclear test-ban treaty, and we pledge our support for its conclusion without delay.

We call upon all States parties to the Treaty to make the treaty permanent. This will be crucial for the full realization of the goals set out in article VI.

We call upon all States that are not parties to the Treaty to accede to it soon, thereby contributing to the enhancement of both regional and global security.

A truly universal and fully implemented Treaty is in the interests of all.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/21
20 April 1995

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New York, 17 April-12 May 1995

MULTILATERAL NUCLEAR SUPPLY PRINCIPLES

Working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee

INTRODUCTION

1. Main Committee II, one of three main committees of the 1990 Review Conference of the Parties to the Non-Proliferation Treaty (NPT), was responsible for reviewing the implementation of the Treaty in the areas of the non-proliferation of nuclear weapons and safeguards, in particular articles I, II and III and related preambular paragraphs. While the Conference did not adopt a final document, Main Committee II agreed on language pertaining to a number of ideas and proposals concerning these matters. The purpose of the present paper is to provide background and an update on developments since that time in one area addressed by Main Committee II, namely, nuclear supply.

2. Main Committee II recognized that the "non-proliferation and safeguards principles in the Treaty are essential for peaceful nuclear commerce and cooperation". By giving all States confidence that nuclear cooperation will take place in a manner consistent with the Treaty's objectives, the non-proliferation and safeguards principles of the Treaty facilitate such cooperation. Both nuclear suppliers and recipients are assured that supply will be used for strictly peaceful purposes, thereby helping to enhance global and regional stability.

3. The Committee agreed upon several important nuclear supply proposals. First, it noted the work of the NPT Exporters Committee, an informal group that has become known as the Zangger Committee, in interpreting article III, paragraph 2, of the Treaty, and urged all States to adopt its requirements for nuclear supply. By joining the Treaty, parties have already undertaken the obligations of article III, paragraph 2. This paper addresses this aspect of Main Committee II's language.

4. Second, Main Committee II recommended that parties to the treaty consider further ways to improve measures to prevent diversion of nuclear technology for nuclear weapons. Main Committee II itself identified two such ways. It urged nuclear supplier States to require acceptance by non-nuclear-weapon States of IAEA safeguards on all their peaceful nuclear activities as a condition for nuclear supply under new arrangements. It also called on States to coordinate their controls on the supply of equipment and material that are not identified under article III, paragraph 2, but are still relevant to nuclear weapons proliferation. The present paper presents information on the Zangger Committee's activities.

ZANGGER COMMITTEE

Article III, paragraph 2

5. Article III, paragraph 2 of the Treaty performs a vital function in helping to ensure the peaceful use of nuclear material and equipment. Specifically, it provides:

> "Each State party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article (IAEA safeguards)."

6. The main significance of this paragraph is that parties to the Treaty should not export nuclear commodities to non-nuclear-weapon States not parties to the Treaty, unless the export itself is subject to IAEA safeguards. This is an important provision because frequently such recipient countries have accepted no other nuclear non-proliferation obligations. By interpreting and implementing article III, paragraph 2, the Zangger Committee helps to prevent the diversion of safeguarded nuclear material from peaceful purposes to nuclear weapons or other nuclear explosive devices, which furthers the objectives of the Treaty and enhances the security of all parties to it.

Zangger Committee understandings

7. Between 1971 and 1974 a group of 15 States - some already parties to the Treaty, others prospective parties - held a series of informal meetings in Vienna chaired by Professor Claude Zangger of Switzerland. As suppliers or potential suppliers of nuclear material and equipment, their objective was to reach a common understanding on:

(a) The definition of what constituted "equipment or material especially designed or prepared for the processing, use or production of special fissionable material" (as it was not defined anywhere in the Treaty);

(b) The conditions and procedures that would govern exports of such equipment or material in order to meet the obligations of article III, paragraph 2 on a basis of fair commercial competition.

8. The group, which came to be known as the Zangger Committee, decided that its status was informal and that its decisions would not be legally binding upon its members.

9. In 1974, the Committee reached consensus on basic "understandings" contained in two separate memoranda. Together, these memoranda form the guidelines of the Zangger Committee today. Each memorandum defines and provides for export controls on a category of commodities described in article III, paragraph 2; the first memorandum concerns source and special fissionable material (article III, paragraph 2 (a)), the second, equipment and material especially designed or prepared for the processing, use or production of special fissionable material (article III, paragraph 2 (b)).

10. The consensus which formed the basis of the Committee's understandings was formally accepted by individual States members of the Committee by an exchange of notes among themselves. These amounted to unilateral declarations that the understandings would be given effect through respective domestic export control legislation.

11. Memorandum A defines the following categories of nuclear material:

(a) Source material: natural or depleted uranium and thorium;

(b) Special fissionable material: plutonium-239, uranium-233, uranium enriched in the isotopes 235 or 233.

12. Memorandum B, as clarified since 1974 (see below), contains plants, equipment and material in the following categories: nuclear reactors, non-nuclear materials for reactors, reprocessing, fuel fabrication, uranium enrichment, and heavy water production.

13. To fulfil the requirements of article III, paragraph 2, the Zangger Committee "understandings" contain three basic conditions of supply for these items:

(a) For exports to a non-nuclear-weapon State not party to the Treaty, source or special fissionable material either directly transferred, or produced, processed, or used in the facility for which the transferred item is intended, shall not be diverted to nuclear weapons or other nuclear explosive devices;

(b) For exports to a non-nuclear-weapon State not party to the Treaty, such source or special fissionable material, as well as transferred equipment and non-nuclear material, shall be subject to safeguards under an agreement with IAEA;

(c) Source or special fissionable material, and equipment and non-nuclear material shall not be re-exported to a non-nuclear-weapon State not party to the Treaty unless the recipient State accepts safeguards on the re-exported item.

14. The understandings were formally accepted by individual States members of the Committee in an exchange of notes among themselves. In parallel with this procedure, most member States wrote identical letters to the Director General of

IAEA informing him of their decision to act in conformity with the conditions set out in the understandings. These letters also asked the Director General to communicate their decision to all States members of the Agency, which he did in INFCIRC/209, dated 3 September 1974.

"Trigger list" and its clarification

15. As consolidated in 1990, the two memoranda became known as the "trigger list", since the export of listed items "triggers" IAEA safeguards. In other words, as described above, they will be exported only if (1) the transferred equipment or source or special fissionable material or (2) the material produced, processed or used in the facility for which the item is supplied is subject to Safeguards under an agreement with IAEA.

16. Attached to the trigger list is an annex "clarifying", or defining the equipment and material of memorandum B in some detail. The passage of time and successive developments in technology have meant that the Committee is regularly engaged in considering possible revisions to the trigger list, and the original annex has thus become increasingly detailed. To date, six clarification exercises have taken place, and another is under way. Clarifications are conducted on the basis of consensus, using the same procedure followed in the adoption of the original understandings.

17. A summary of these clarifications reflects both some detail on the contents of the trigger list and an idea of the work of the Zangger Committee (dates are for publication of modifications of INFCIRC/209):

(a) In December 1978, the annex was updated to add heavy water production plants and equipment, and a few specific items of isotope separation equipment for uranium enrichment;

(b) In February 1984, further detail was added to the annex to take account of technological developments during the preceding decade in the area of uranium enrichment by the gas centrifuge process;

(c) In August 1985, a similar clarification was made to the annex section on irradiated fuel reprocessing;

(d) In February 1990, the uranium enrichment section was further elaborated by the identification of items of equipment used for isotope separation by the gaseous diffusion method;

(e) In May 1992, specific items of equipment were added to the section on heavy water production;

(f) In April 1994, the enrichment section of the annex was subject to its most significant expansion yet. Existing portions of the section were updated, and detailed lists of equipment were added for the enrichment processes of aerodynamic, chemical and ion exchange, laser-based, plasma and electromagnetic separation. A significant modification was also made to the entry for primary coolant pumps.

Currently, the Zangger Committee is reviewing the sections on reactors and fuel fabrication to determine whether clarification of these sections is warranted.

Membership

18. All Zangger Committee members are parties to the Treaty capable of supplying trigger list items. Currently there are 29 members (Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovak Republic, South Africa, Spain, Sweden, Switzerland, United Kingdom, United States). Any party that is an actual or potential nuclear supplier and is prepared to implement the Committee's understandings is eligible for membership. Decisions to invite new members of the Committee are taken by consensus of the existing members. In the interest of strengthening the Treaty and the nuclear non-proliferation regime in general, Zangger Committee members have urged parties to the Treaty that are nuclear suppliers to consider seeking membership. Parties interested in doing so may contact the Chairman of the Committee (Dr. F. W. Schmidt of Austria), the Secretariat (the United Kingdom Mission in Vienna), or any State member of the Committee.

Zangger Committee and NPT conferences

19. The introductory section referred to language agreed upon by Main Committee II in 1990. Previous NPT review conferences also adopted language on the activities of the Zangger Committee in their final documents. These statements are found in the attachment to the present paper.

20. At the first NPT Review Conference in 1975, a brief paragraph in the final document referenced the work of the Zangger Committee without naming it. Paraphrasing, that paragraph stated that, with regard to the implementation of article III, paragraph 2, the Conference noted that a number of nuclear suppliers had adopted certain minimum requirements for IAEA safeguards in connection with their nuclear exports to non-nuclear-weapon States. The Conference went on to attach particular importance to the fact that those suppliers had established as a supply condition an undertaking of non-diversion to nuclear weapons.

21. In 1980, the Review Conference produced no consensus final document. However, in 1985, the Final Document contained a short reference to the Committee's activities, again without naming it. This time the Conference in effect endorsed the main activity of the Zangger Committee by indicating that further improvement of the trigger list should take account of advances in technology.

22. Portions of the language agreed upon by Main Committee II in 1990 have already been summarized, but it is important to note that it mentioned the Zangger Committee by name and provided a brief description of its aims and practices. Main Committee II observed that Zangger Committee members have met regularly to coordinate the implementation of article III, paragraph 2, and have adopted nuclear supply requirements and a trigger list. It recommended that this list be reviewed periodically to take into account advances in technology

and changes in procurement practices, a recommendation that the Zangger Committee has continued to pursue. Main Committee II also urged all States to adopt the Zangger Committee's requirements for any nuclear cooperation with a non-nuclear-weapon State not party to the Treaty.

Attachment

REFERENCES TO ZANGGER COMMITTEE ACTIVITIES IN
NPT REVIEW CONFERENCE DOCUMENTS

First NPT Review Conference (1975)

A paragraph in the Final Document referenced the work of the Zangger Committee without naming it:

> "With regard to the implementation of article III, paragraph 2 of the Treaty, the Conference notes that a number of States suppliers of material or equipment have adopted certain minimum, standard requirements for IAEA safeguards in connection with their exports of certain such items to non-nuclear-weapon States not parties to the Treaty (IAEA document INFCIRC/209 and addenda). The Conference attaches particular importance to the condition, established by those States, of an undertaking of non-diversion to nuclear weapons or other nuclear explosive devices, as included in the said requirements." (NPT/CONF/35/I, annex I)

Third NPT Review Conference (1985)

The 1980 NPT Review Conference produced no final document, but the 1985 Final Document contained a reference to the Committee without naming it:

> "The Conference believes that further improvement of the list of materials and equipment which, in accordance with article III, paragraph 2, of the Treaty, calls for the application of IAEA safeguards should take account of advances in technology." (NPT/CONF.III/64/I, annex I, para. 13)

Fourth NPT Review Conference (1990)

While the Conference did not adopt a final document, Main Committee II did agree on a number of ideas and proposals, including the following language on the Zangger Committee:

> "The Conference notes that a number of States parties engaged in the supply of nuclear material and equipment have met regularly as an informal group which has become known as the Zangger Committee in order to coordinate their implementation of article III, paragraph 2. To this end these States have adopted certain requirements, including a list of items triggering IAEA safeguards, for their export to non-nuclear-weapon States not parties to the Treaty, as set forth in IAEA document INFCIRC/209 as revised. The Conference urges all States to adopt these requirements in connection with any nuclear cooperation with non-nuclear-weapon States not parties to the Treaty. The Conference recommends that the list of items triggering IAEA safeguards and the procedures for implementation be reviewed from time to time to take into account advances in technology and changes in procurement practices. The Conference recommends the States parties to consider further ways to improve the measures to prevent diversion of nuclear technology for nuclear weapons, other nuclear explosive purposes or nuclear weapon

capabilities. While recognizing the efforts of the Zangger Committee in the non-proliferation regime, the Conference also notes that items included in the 'trigger list' are essential in the development of nuclear energy programmes for peaceful uses. In this regard, the Conference requests that the Zangger Committee should continue to take appropriate measures to ensure that the export requirements laid down by it do not hamper the acquisition of such items by States parties for the development of nuclear energy for peaceful uses." (NPT/CONF.IV/DC/1/Add.3(a), para. 27)

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/21/Corr.1
28 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

MULTILATERAL NUCLEAR SUPPLY PRINCIPLES

Working paper submitted by Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Zangger Committee

Corrigendum

The title of the document should read as above.

95-12894 (E)

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/22
20 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 18 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit herewith the text of a statement of the Ministry of Foreign Affairs of the Republic of Bulgaria in connection with the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, dated 14 April 1995.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Slavi Zh. PASHOVSKI
Ambassador
Permanent Representative of
Bulgaria to the United Nations

Annex

STATEMENT OF THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF BULGARIA ON THE OCCASION OF THE REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

In connection with the opening of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Ministry of Foreign Affairs of the Republic of Bulgaria declares that Bulgaria views the Treaty on the Non-Proliferation of Nuclear Weapons as a cornerstone of the global regime of non-proliferation of weapons of mass destruction and is committed to its indefinite and unconditional extension.

The Republic of Bulgaria considers the international treaties in the field of nuclear disarmament and the prevention of the proliferation of nuclear weapons to be achievements of historical significance and supports all efforts of the international community aimed at their strict implementation.

The Ministry of Foreign Affairs of the Republic of Bulgaria would like to express Bulgaria's firm belief that confidence in the international system of nuclear non-proliferation is not possible without complete transparency of the nuclear programmes of all States. Therefore, cooperation with the International Atomic Energy Agency (IAEA), which exercises control over the peaceful uses of atomic energy, is gaining increasing importance.

The observance of the safeguards agreements concluded with IAEA provides for international control over the fulfilment on the part of the States of their obligations under the Treaty. The Republic of Bulgaria views the IAEA safeguards system as a key element of the international system of nuclear non-proliferation and supports all constructive ideas regarding its strengthening.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/23
21 April 1995
ENGLISH
ORIGINAL: SPANISH

New York, 17 April-12 May 1995

LETTER DATED 20 APRIL 1995 FROM THE UNDER SECRETARY FOR MULTILATERAL AFFAIRS AND HEAD OF THE DELEGATION OF MEXICO, ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit to you herewith a working paper which my delegation proposes should be annexed to whatever decision is adopted on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons.

I should be grateful if you would have the text circulated as a working paper of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Sergio GONZALEZ GALVEZ
Ambassador
Under Secretary for
Multilateral Affairs
Head of Delegation

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Annex

MEXICO: WORKING PAPER TO BE ANNEXED TO WHATEVER DECISION IS TAKEN ON THE EXTENSION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

1. Comprehensive Nuclear Test-Ban Treaty

1. The States Parties undertake to make every effort to ensure that the Conference on Disarmament concludes a comprehensive nuclear-test-ban treaty as soon as possible, but in any case not later than 1996.

2. At the same time, nuclear-weapon States are urged to maintain or adopt, without any exception, a moratorium on nuclear testing until the treaty enters into force.

2. Fissionable material

3. The Conference on Disarmament is urged to initiate as soon as possible negotiations on a treaty banning production of fissile material having military purposes, including possible consideration of material already stockpiled.

3. Assurances to non-nuclear-weapon States

4. Considering that resolution 984 (1995) of the Security Council constitutes a step towards giving security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, it is necessary to bear in mind the relevant General Assembly resolutions on the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

5. Accordingly, States Parties shall encourage consideration of this item as a matter of priority both in the Security Council and in the General Assembly, with a view to supplementing the necessary assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all the proposals and suggestions that have been made on the subject. In this regard, a legally binding agreement remains the most appropriate option.

4. Safeguards system of the International Atomic Energy Agency

6. It is necessary to bear in mind the importance of strengthening the existing safeguards regime of the International Atomic Energy Agency (IAEA) on the basis of the proposal submitted by the Director General of the Agency, taking into account the relevant comments made by the various States in the Board of Governors of IAEA, and through agreements duly spelling out the powers of IAEA and the obligations of States.

5. Nuclear disarmament

7. Bearing in mind the statements made during the Conference by the nuclear-weapon States, the latter are urged to cease all production of nuclear weapons and to redouble their efforts to reduce their respective arsenals with a view to totally eliminating them.

6. Criteria for strengthening the review mechanism of the Treaty on the Non-Proliferation of Nuclear Weapons

8. Based on the spirit and letter of the Treaty on the Non-Proliferation of Nuclear Weapons, especially article VIII, paragraph 3 thereof, which establishes the possibility of holding conferences to evaluate the Treaty every five years, it is resolved:

To hold conferences every five years, as of this date, with the aim of evaluating the implementation of the Treaty.

To transmit a proposal to the Depositary Governments in order to convene the first such conference in the year 2000, and to do likewise for subsequent meetings.

9. The conferences shall have the following characteristics; they shall:

(a) Retain the structure of the review meetings, by establishing three main committees which shall review how each one of the Treaty's provisions has been implemented and how this can be strengthened, in order to preserve the balance of obligations undertaken in it;

(b) Seek to establish specific objectives so as to attain full compliance with each and every provision of the Treaty and its Preamble, including, whenever possible, by setting goals with specific time-frames;

(c) Establish mechanisms in order to conduct negotiations on specific items between one conference and the next;

(d) As its first task, the conference of the year 2000 shall evaluate compliance with the commitments undertaken at the 1995 Conference and the steps taken to achieve the Treaty's universality.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/24
21 April 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

LETTER DATED 21 APRIL 1995 FROM THE HEAD OF THE DELEGATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to forward to you the text of a paper providing information on the activities and views of the United Kingdom of Great Britain and Northern Ireland on the three underlying objectives of the Treaty on the Non-Proliferation of Nuclear Weapons: to prevent the further spread of nuclear weapons; to provide a sound basis for international cooperation in the peaceful uses of nuclear energy; and to encourage negotiations in good faith on effective measures relating to disarmament.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Sir Michael WESTON
Ambassador
Head of delegation

95-12000 (E)

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Annex

THE UNITED KINGDOM AND THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

INTRODUCTION

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) reflects three underlying objectives: to prevent the further spread of nuclear weapons; to provide a sound basis for international cooperation in the peaceful uses of nuclear energy; and to encourage negotiations in good faith on effective measures relating to disarmament. This paper provides information about the United Kingdom's activities and views in these three areas, and outlines the conclusions which the United Kingdom believes the Conference should reach when reviewing the Treaty's operation and taking its decision on the extension of the Treaty's duration.

A. Preventing the spread of nuclear weapons

2. Several articles of the Treaty are particularly relevant to this underlying objective. Articles I and II of the Treaty contain the basic obligations by which the nuclear-weapon States and non-nuclear-weapon States respectively are obligated to prevent the spread of nuclear weapons or other nuclear explosive devices. Article III obligates the non-nuclear-weapon States to accept safeguards administered by the International Atomic Energy Agency (IAEA) on all nuclear material used in their peaceful nuclear activities, but in addition all the nuclear-weapon States parties have voluntarily agreed to accept safeguards administered by IAEA on some of their activities. Article VII acknowledges the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories, and article IX concerns provisions for adherence to the Treaty.

Article I

3. The United Kingdom takes its obligations under this article very seriously. It has not transferred to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices, directly or indirectly. Nor has it in any way assisted, encouraged or induced any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

4. The United Kingdom has in place a system of export controls designed to ensure that exports of nuclear items to non-nuclear-weapon States can be made only for legitimate non-explosive uses. These controls require exporters to obtain a licence to export certain items. The items now subject to control embrace all those items listed by the Zangger Committee in INFCIRC/209/Rev.1/Mods.1 and 2 and by the Nuclear Suppliers Group in INFCIRC/254/Rev.1/Part 1/Mods. 1, 2 and 3. In 1992 the United Kingdom supported

the introduction by members of the Nuclear Suppliers Group of a list of controlled dual-use items (set out in INFCIRC/254/Rev.1/Part 2).

5. The fact that the United Kingdom, along with other suppliers, makes these items subject to control does not mean that they cannot be exported at all. Controls exist to help prevent the export of items to States that might use them in a nuclear weapons programme. This is in the interests of all parties to the Treaty. The United Kingdom remains convinced that effective export controls support the objectives of the Treaty.

6. In practice, denials of licences for the export of controlled items have been rare. From 1991 to 1994 inclusive there were 699 applications to export controlled nuclear items from the United Kingdom. Only 25 of these applications were refused, of which 21 concerned applications to export items to non-parties to the Treaty.

Article II

7. The United Kingdom has advocated and supported a number of actions taken by the international community in order to ensure compliance with this and other articles by certain States.

8. The United Kingdom helped to devise, and strongly supports, all the Security Council resolutions designed to deal with Iraq's nuclear weapons programme (and its programmes for other weapons of mass destruction and missiles). The United Kingdom has therefore been an active contributor to the work of the United Nations Special Commission and IAEA in implementing those resolutions. The United Kingdom welcomes the progress that they have now made, but continues to have doubts about the extent of Iraqi compliance with those resolutions.

9. The United Kingdom has also supported all efforts to ensure that the Democratic People's Republic of Korea honours its safeguards obligations. It has supported IAEA in its dealings with the Democratic People's Republic of Korea and the various actions taken by the Security Council. The United Kingdom hopes that the problems which have arisen can now be resolved as a result of the signature of the Agreed Framework in October 1994 by the United States of America and the Democratic People's Republic of Korea. The United Kingdom has demonstrated its willingness to make that approach work by announcing a contribution towards the funding of the Korean Peninsula Energy Development Organization established as a result of the Agreed Framework.

10. The United Kingdom believes that the difficulties which have arisen in relation to Iraq and the Democratic People's Republic of Korea demonstrate the importance of the Security Council taking appropriate measures in respect of non-compliance by States with their nuclear non-proliferation obligations, including their safeguards obligations. In this respect the United Kingdom stresses the importance of the following key passage in the presidential statement which the Security Council authorized the British Prime Minister to make on its behalf on 31 January 1992:

"The proliferation of all weapons of mass destruction constitutes a threat to international peace and security. The members of the Council commit themselves to working to prevent the spread of technology related to the research for or production of such weapons and to take appropriate action to that end.

"On nuclear arms proliferation, the members of the Council note the importance of the decision of many countries to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and emphasize the integral role in the implementation of that Treaty of fully effective IAEA standards, as well as the importance of effective export controls. The members of the Council will take appropriate measures in the case of any violations notified to them by the Agency."

Article III

Safeguards in non-nuclear-weapon States parties

11. Pursuant to article III, paragraph 1 of the Treaty, IAEA has concluded a series of safeguards agreements designed to verify that nuclear material in non-nuclear-weapon States parties to the Treaty is not diverted to nuclear weapons or other nuclear explosive devices. A model agreement is set out in INFCIRC/153 (corrected). The United Kingdom fully supports both this safeguards system and the excellent work of IAEA in administering it.

12. The United Kingdom also recognizes that the Iraqi experience revealed certain weaknesses in this existing system of safeguards, particularly the fact that it was not really designed to root out undeclared activities related to the acquisition of nuclear material for weapons purposes. The United Kingdom fully supports the recent and continuing efforts to strengthen the system, so as to provide improved assurance about the absence of such undeclared activities.

13. A first programme of strengthening measures was proposed by the European Union in September 1991. As part of this an important step was taken when the IAEA Board of Governors reaffirmed in February 1992 the Agency's right to undertake "special inspections". Another important step was taken in December 1992 when the Board of Governors put in hand a wide-ranging review of the safeguards system (known as the "93 + 2" programme).

14. The United Kingdom has contributed actively to the discussions and studies arising from the "93 + 2" programme and welcomes the initial proposals resulting from it which the Director General presented to the Board of Governors at its meeting in March 1995. The United Kingdom was encouraged by the Board's positive response to these proposals at that meeting. It is in the interests of all NPT parties that the Agency should have the means to provide greater assurance about the absence of undeclared activities.

15. Efficiency is important as well as effectiveness. The United Kingdom welcomes the efficiency improvements already made by IAEA, as well as those proposed as part of the "93 + 2" programme. They will help to ensure that the Agency has sufficient resources to discharge its safeguards responsibilities at

a time when they are being applied to increasingly complex plants and extended to a significant number of new non-nuclear-weapon States parties to the Treaty.

16. The United Kingdom, with other exporting parties, has always required recipient non-nuclear-weapon States to accept safeguards on nuclear material in accordance with article III, paragraph 2. In 1992 the Nuclear Suppliers Group agreed that, subject to limited exceptions for safety reasons, new nuclear exports should not be made to a non-nuclear-weapon State unless it has an agreement with IAEA requiring the application of safeguards on all nuclear material in its peaceful nuclear activities, a requirement long sought by many non-nuclear-weapon States parties to the Treaty.

17. As part of its wider support for the IAEA safeguards system the United Kingdom has provided the Agency with substantial assistance on a variety of topics. Examples include assistance with techniques for safeguarding reprocessing facilities and gas centrifuge plants. The United Kingdom has also been involved, both bilaterally and with others, including IAEA, in meeting requests for assistance on safeguards issues from a number of States, including some of the non-nuclear-weapon States which have recently concluded safeguards agreements with the Agency.

Safeguards in the United Kingdom

18. In addition to supporting the IAEA safeguards system as it applies to non-nuclear-weapon States parties, the United Kingdom, in fulfilment of the Voluntary Offer it made during the negotiation of the Treaty, has concluded its own safeguards agreement with IAEA and the European Atomic Energy Community (EURATOM). This agreement is set out in INFCIRC/263.

19. Under this tripartite safeguards agreement civil nuclear material in the United Kingdom is reported to IAEA via EURATOM (which, under the 1957 EURATOM Treaty, applies a regional system of safeguards on all civil nuclear material throughout the European Union, including on all civil nuclear material in the United Kingdom). In addition, the United Kingdom provides IAEA with a list of facilities which it may choose to designate for inspection. At present IAEA has designated for inspection spent fuel storage ponds and plutonium stores at Sellafield and the gas centrifuge enrichment plant at Capenhurst. The same IAEA safeguards criteria are applied in the case of inspections in the United Kingdom as in the case of inspections elsewhere, and the United Kingdom would be ready to accept inspection by IAEA of any other facilities on the list submitted to it were the Agency to find that helpful.

20. The United Kingdom's experience, both with EURATOM and IAEA safeguards, strongly supports its belief that safeguards can be implemented, and are implemented, in conformity with the requirements of article III, paragraph 3, of the Treaty. The United Kingdom therefore believes they do "avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities". Indeed, the United Kingdom firmly believes that the reassurance which safeguards provide is the essential foundation for international cooperation in the peaceful uses of nuclear energy.

Article VII

21. Article VII of the Treaty states: "Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories". There are now two treaties establishing nuclear-weapon-free zones in populated areas, the Treaty of Tlatelolco (which pre-dates NPT) and the Treaty of Rarotonga. Negotiations to establish an African nuclear-weapon-free zone are well advanced and other such zones have been proposed, for example for the Middle East.

22. The United Kingdom strongly supports the Treaty of Tlatelolco. It very much welcomes the fact that recent amendments to the Treaty have made it possible for Argentina, Brazil and Chile to bring it into force for themselves, and looks forward to the entry into force of the fullest possible zone of application in the near future. For its part the United Kingdom signed Protocols I and II to the Treaty in 1967 and ratified them in 1969. It has since signed a safeguards agreement with IAEA and EURATOM for those territories within the Tlatelolco Treaty zone for which it is de jure internationally responsible.

23. The United Kingdom gave careful consideration to the Treaty of Rarotonga, taking into account its security interests in the region and, more widely, the views of its allies and the regional States themselves, as well as the texts of the Treaty and the Protocols. Against this background the United Kingdom concluded that it would not serve its interest to become a party to the Protocols, but as a matter of policy the United Kingdom indicated that it would respect the intentions of the regional States as set out in Protocol I, reaffirmed in relation to Protocol II the negative security assurance given to non-nuclear-weapon States by the United Kingdom in 1978, and noted in connection with Protocol III that it had no intention of conducting nuclear tests in the South Pacific.

24. The United Kingdom welcomes the negotiations to establish an African nuclear-weapon-free zone, is closely engaged in contacts with the negotiators, and will determine its view of the proposed treaty once it has been finalized. The United Kingdom has also made clear its support for the establishment of both a Middle East nuclear-weapon-free zone and a Middle East zone free of weapons of mass destruction.

Article IX

25. The United Kingdom has a long-standing policy of encouraging all States to adhere to the Treaty and has actively lobbied all non-parties to do so, both in association with its European Union partners and acting on its own. It greatly welcomes the fact that since the 1990 Review Conference over 35 States have adhered to the Treaty. These accessions have greatly helped to sustain and strengthen the Treaty. They represent important steps towards the vital goal of securing universal adherence.

B. Encouraging the peaceful uses of nuclear energy

26. Two articles of the Treaty are primarily concerned with encouraging the peaceful uses of nuclear energy, articles IV and V.

Article IV

27. Article IV of the Treaty recognizes "the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty". It further commits all parties to "facilitate ... the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy". Finally, article IV calls for the development of the applications of nuclear energy for peaceful purposes, especially in non-nuclear-weapon States parties to the Treaty, "with due consideration for the needs of the developing areas of the world".

Role of the United Kingdom in the peaceful commercial uses of nuclear energy

28. The United Kingdom has been at the forefront of those States researching, producing and using nuclear energy for peaceful purposes, both domestically and internationally.

29. The United Kingdom opened an industrial-scale nuclear power station as early as 1956, using MAGNOX reactors. A series of MAGNOX nuclear power stations were subsequently built. They were followed by a number of nuclear power stations using advanced gas-cooled reactors. Most recently, in early 1995, the United Kingdom's latest nuclear power station began operating, using a pressurized water reactor. The United Kingdom's current nuclear power stations are owned and operated by Nuclear Electric plc in England and Wales and by Scottish Nuclear Ltd. in Scotland. Collectively they now generate over 25 per cent of the United Kingdom's electricity.

30. The United Kingdom's commitment to nuclear power has also encouraged the growth of associated industrial capabilities. British Nuclear Fuels plc is one of the world's leading nuclear fuel companies, with facilities capable of fabricating either natural or enriched uranium into fuel for a wide range of reactor types, storing spent fuel, reprocessing it, and handling waste products. It also has a one-third holding in URENCO Ltd., which has facilities for enriching uranium in the United Kingdom. The United Kingdom has sophisticated engineering and construction companies capable of building nuclear facilities, and is home to one of the world's largest producers of radioisotopes for medical and other purposes (Amersham International), as well as to a dynamic research and development organization with major nuclear and non-nuclear skills (AEA Technology). In addition to these major organizations there are many other United Kingdom companies which have important interests in the nuclear sphere. Over 70 companies are members of the British Nuclear Industry Forum (BNIF), the nuclear industry's trade association in the United Kingdom.

31. Most of these organizations have important world-wide interests. Nuclear Electric is engaged with others in seeking overseas business for the construction of new nuclear power stations. British Nuclear Fuels plc has reprocessing contracts with a number of European and Japanese utilities, and is also engaged in a wide range of other foreign business. A high percentage of Amersham International's products are exported. AEA Technology is doing business with many foreign countries and hoping to expand the number further. Other companies belonging to BNIF are also very active overseas. As foreign nuclear plants mature, the United Kingdom's proven experience in plant life extension, safety, environmental management and decommissioning is expected to become even more relevant than it already is.

32. In the civil nuclear, as in other fields, the United Kingdom is therefore deeply involved in exporting its expertise and products. It strongly supports the widespread use of nuclear energy for peaceful purposes.

Role of the United Kingdom in providing technical assistance

33. The IAEA background paper on its activities in relation to article IV provides information on the transfers of nuclear technology made as a result of the promotional element in its regular budget. This element amounts to about one third of the regular budget, to which the United Kingdom is a significant contributor. In addition to funding, the United Kingdom also contributes expertise and advice on all aspects of the promotional element in the IAEA regular budget.

34. The same IAEA background paper also gives a full account of the projects supported by the technical cooperation programme, which is the main vehicle for providing technical assistance to developing countries. As a strong supporter of this programme, the United Kingdom:

(a) Has an excellent record in paying its target share to the Technical Assistance and Cooperation Fund (99.72 per cent of its target share paid over the period 1985 to 1993, amounting to $17.8 million);

(b) Has committed $7.5 million since 1985 in additional voluntary contributions to fund footnote (a) projects;

(c) Has made in-kind contributions since 1985 worth almost $1 million;

(d) Has contributed to UNDP funds, some of which also support the IAEA technical cooperation programme.

35. The United Kingdom's additional voluntary contributions to fund footnote (a) projects have supported such diverse projects as: groundwater management to improve and preserve drinking water supplies in Ghana; breeding high-yield crops to increase food supply and cash exports in Mexico and El Salvador; improved radiotherapy for cancer treatment in Jordan; and increasing food safety through irradiation in Thailand. The United Kingdom is also a major donor to a project to eradicate the tsetse fly from Zanzibar in order to improve the health and productivity of cattle, so reducing hunger and

poverty. The United Kingdom will also support the spread of this sterile insect technique to mainland Africa.

36. The United Kingdom's in-kind contributions to the technical cooperation programme have taken many forms, including support to visiting fellows and scientists, the provision of experts, and the running of training courses. Support to visiting fellows and scientists usually takes the form of facilitating attendance at academic institutions, participation in research groups, on-the-job training in a specific technology, short visits to research institutes, or a combination of these. United Kingdom experts on assignment usually function as advisers, lecturers, or workshop participants in their field of expertise. Training courses cover a variety of subjects.

Article V

37. Article V is concerned with making available to non-nuclear-weapon States parties to the Treaty potential benefits from any peaceful applications of nuclear explosions. It is the United Kingdom's view that there are no useful peaceful applications of nuclear explosions, and it recalls that the NPT Review Conference in 1985 noted in its Final Declaration "that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that no requests for services related to the peaceful applications of nuclear explosions have been received by IAEA since the Second NPT Review Conference".

C. Pursuit of disarmament objectives

Article VI

38. This article of the Treaty reads:

> "Each of the parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

39. The United Kingdom has always maintained its nuclear forces at the minimum level it judged necessary to act as a deterrent to armed aggression. This remains as true today as it did throughout the years of the cold war. But clearly, the world in 1995 is a different place from what it was in 1970. Accordingly, the United Kingdom has adjusted its nuclear forces to reflect the improvements in the international security environment.

40. The United Kingdom has:

(a) Eliminated entirely its maritime tactical nuclear capability;

(b) Reduced the total number of its air-delivered nuclear bombs by more than half;

(c) Announced that the remainder of its air-delivered nuclear bombs will be withdrawn by the end of 1998;

(d) Decided that these bombs will not be replaced by another air-delivered system;

(e) Made clear that as a result it will have only one nuclear system;

(f) Stated that the total explosive power carried on each Trident submarine will not be much changed from its Polaris predecessor.

41. As a result of these developments, by the end of the 1990s the total number of warheads in the United Kingdom's stockpile will be 21 per cent lower than in the 1970s, and the total explosive power of those warheads will be 59 per cent lower. The total number of operational warheads in the United Kingdom's stockpile will be 30 per cent less than in the 1970s, and the total explosive power of those warheads will be 63 per cent lower. Further details are given in appendix A.

42. The United Kingdom has therefore already contributed directly to reductions in nuclear forces, and is continuing to do so. It has also made clear that a world in which the nuclear forces of the Russian Federation and the United States of America were numbered in hundreds rather than thousands would be one in which the United Kingdom would respond to the challenge of multilateral talks on the global reduction of nuclear arms. The United Kingdom, with other nuclear-weapon States, has also solemnly reaffirmed its commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains the United Kingdom's ultimate goal. The full text of the Declaration by France, the Russian Federation, the United Kingdom and the United States in connection with the NPT has been circulated as a Conference document (NPT/CONF.1995/20).

43. The United Kingdom is also strongly in favour of concluding a comprehensive test-ban treaty. It participated in the tripartite negotiations to achieve such a treaty between 1977 and 1980, and has for many years been an active contributor to the work of the Conference on Disarmament's Ad Hoc Group of Scientific Experts which has focused on how best to verify such a treaty. It is now playing a full and active role in the negotiations for a comprehensive test-ban treaty which began in January 1994. It welcomes the good progress that has been made so far in those negotiations and seeks their early conclusion. To facilitate this, the United Kingdom has recently agreed that there should be no exemption for "tests in exceptional circumstances", the so-called "safety tests".

44. The United Kingdom has been ready since the end of 1993 to enter negotiations for a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It welcomes the recent agreement in March 1995 to establish an Ad Hoc Committee of the Conference on Disarmament to negotiate such a cut-off convention. To remove any doubts about its commitment to this negotiation the United Kingdom has announced that it has ceased the production of fissile material for explosive purposes.

45. The United Kingdom has also recognized that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them (negative security assurances) and for assurances of assistance if they are a victim of an act of aggression, or an object of a threat of aggression, in which nuclear weapons are used (positive security assurances). The United Kingdom gave a positive security assurance to non-nuclear-weapon States parties to the Treaty in 1968, which was welcomed by the Security Council in its resolution 255 (1968). In 1978 the United Kingdom also gave a negative security assurance to non-nuclear-weapon States parties to the Treaty. In response to continued concerns from non-nuclear-weapon States, and following consultations with other nuclear-weapon States, the United Kingdom made on 6 April 1995 the Declaration on security assurances attached as appendix B. The United Kingdom also played an active part in initiating and elaborating Security Council resolution 984 (1995), unanimously adopted on 11 April, in which the Council welcomed the enhanced positive security assurances given for the first time by all the nuclear-weapon States, as well as the new negative security assurances, four of which, including the United Kingdom's were given in common terms for the first time.

46. The United Kingdom has also supported many other measures which contribute to the goal of general and complete disarmament. For example, the United Kingdom fully supports the Biological and Toxin Weapons Convention concluded in 1972. It attaches great importance to States' full compliance with their obligations under that Convention and warmly welcomes the decision by States parties at the Special Conference in September 1994 to work on ways of strengthening the Convention. The United Kingdom also fully supports the Chemical Weapons Convention, which was opened for signature in 1993, and its early entry into force. It seeks universal adherence to both Conventions.

47. The United Kingdom has also been concerned about the destabilizing impact of missile proliferation and remains anxious to ensure that transfers and build-ups of conventional weaponry do not exceed levels legitimately required for self-defence. The United Kingdom therefore supports both the missile technology control regime and the various guidelines on conventional arms transfers which have been agreed by the permanent members of the Security Council, by the European Union, and by the Forum for Security and Cooperation of the Organization for Security and Cooperation in Europe (OSCE), formerly the Conference on Security and Cooperation in Europe. The United Kingdom also played a leading part in establishing the Register of Conventional Arms, which was set up with nearly unanimous support by the General Assembly in its resolution 46/36 L.

48. At a regional level, the United Kingdom has consistently sought verifiable reductions in conventional arms in Europe. It played a full part in the negotiations which led to the Treaty on Conventional Armed Forces in Europe (the CFE Treaty). This Treaty has already led to large reductions in military equipment levels in Europe. When it is fully implemented later this year, over 50,000 weapons will have been destroyed - an overall reduction of roughly 25 per cent in such equipment. The United Kingdom has also been strongly in favour of the Open Skies Treaty, and has consistently supported the development and implementation of confidence and security building measures through OSCE.

49. The United Kingdom also recognizes that the goal of general and complete disarmament is unlikely to be attained without a concomitant strengthening of all States' security. Within Europe the United Kingdom has played a full part in ensuring that OSCE, the North Atlantic Treaty Organization (NATO), the European Union and the Western European Union all adapt themselves to the end of the cold war in order to help achieve this goal. In this regard the United Kingdom notes in particular the Partnership for Peace programme initiated by NATO and the OSCE decision at its Budapest summit in December 1994 to start discussion on a model of common and comprehensive security for our region for the twenty-first century. The United Kingdom is participating fully both in the Partnership for Peace programmes and in the OSCE study. At a global level the United Kingdom has always been a strong supporter of the United Nations Organization. It welcomes the fact that since the end of the cold war the Security Council has been able to take decisions more readily and effectively on a range of global security problems.

50. In short, the United Kingdom has supported a range of practical and effective measures to further the Treaty's disarmament goals.

D. Review and extension

51. Articles VIII and X deal respectively with the review and extension of the Treaty, as well as with other matters.

Article VIII

52. The United Kingdom fully supports regular review conferences as provided for under article VIII. The United Kingdom recognizes the need to review implementation of the Treaty in all the three main areas discussed above.

53. At the same time the United Kingdom believes that the Treaty has substantial achievements to its credit:

(a) The Treaty has already secured the support of the greater part of the international community and continues to attract new parties, while new measures are in hand to help address compliance concerns;

(b) International cooperation in the peaceful uses of nuclear energy is now extensive, and in particular large amounts of technical assistance have been provided to developing States parties to the Treaty;

(c) Enormous progress has been made towards the international community's disarmament objectives since the entry into force of the Treaty.

54. The United Kingdom believes that any fair and dispassionate review of the Treaty's operation will conclude that it has contributed fundamentally:

(a) To the security of all States, by helping to prevent the widespread proliferation of nuclear weapons;

(b) To providing the framework of reassurance that is necessary if international cooperation in the peaceful uses of nuclear energy is to flourish;

(c) To the pursuit of the major disarmament goals sought by the entire international community.

Article X

55. Article X, paragraph 2, of the Treaty provides:

> "Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the parties to the Treaty".

56. The United Kingdom has carefully considered the options provided for in the Treaty. It has come to the conclusion that anything less than indefinite extension would not serve the interests of the international community. It would create a climate of uncertainty in an area of major importance for international security.

Conclusion

57. The United Kingdom therefore fully supports indefinite extension. This would:

(a) Send the strongest possible signal to the few remaining non-parties that the international community is determined to contain the spread of nuclear weapons;

(b) Entrench the framework of assurance which is necessary if international cooperation in the peaceful use of nuclear energy is to be maintained and developed;

(c) Create the best possible framework for further progress towards the disarmament goals of the Treaty.

Appendix A

SIZE OF THE UNITED KINGDOM'S NUCLEAR FORCES

Reductions comparing the end of the 1990s with the 1970s

(Percentage)

	Warhead numbers	Explosive power
Stockpile a/	21	59
Operational b/	30	63

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a/ Including all warheads except those awaiting dismantlement.

b/ All warheads in the stockpile except those held as a necessary margin for maintenance and refurbishment work and for safety and reliability monitoring.

Appendix B

UNITED KINGDOM DECLARATION ON SECURITY ASSURANCES

(Made on 6 April 1995 by the Permanent Representative of the United Kingdom to the Conference on Disarmament)

The Government of tne United Kingdom believes that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security. We note with appreciation that 175 States have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

We believe that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation regime which has made an invaluable contribution to international peace and security. We are convinced that the Treaty should be extended indefinitely and without conditions.

We will continue to urge all States that have not done so to become parties to the Treaty.

The Government of the United Kingdom recognizes that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them. In 1978 we gave such an assurance. Assurances have also been given by the other nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recognizing the continued concern of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the assurances given by nuclear-weapon States should be in similar terms, and following consultation with the other nuclear-weapon States, I accordingly give the following undertaking on behalf of my Government:

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

In giving this assurance the United Kingdom emphasizes the need not only for universal adherence to, but also for compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons. In this context I wish to make clear that Her Majesty's Government does not regard its assurance as applicable if any beneficiary is in material breach of its own non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

In 1968 the United Kingdom declared that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which

are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

I, therefore, recall and reaffirm the intention of the United Kingdom, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State, party to the Treaty on the Non-Proliferation of Nuclear Weapons, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

This Security Council assistance could include measures to settle the dispute and restore international peace and security, and appropriate procedures, in response to any request from the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

If a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons is a victim of an act of aggression with nuclear weapons, the United Kingdom would also be prepared to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance.

The United Kingdom reaffirms in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/25
25 April 1995
ENGLISH
ORIGINAL: RUSSIAN

New York, 17 April-12 May 1995

NOTE VERBALE DATED 24 APRIL 1995 FROM THE DELEGATION OF THE RUSSIAN FEDERATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The delegation of the Russian Federation to the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons presents its compliments to the Secretary-General of the Conference, and has the honour to request him to distribute the attached national report on the implementation by the Russian Federation of the Treaty on the Non-Proliferation of Nuclear Weapons.

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Annex

NATIONAL REPORT ON THE IMPLEMENTATION BY THE RUSSIAN FEDERATION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I. INTRODUCTION

1. The present report was prepared for the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and contains information on the implementation by the Russian Federation of the various articles of the Treaty. The period covered by the report is essentially the five years that have elapsed since the Fourth Conference to Review the Implementation of the Treaty.

2. As a State party to the Treaty and one of its depositaries, the Russian Federation considers that the Treaty has stood the test of time, and has become one of the strong foundations of the international security system. It has successfully weathered difficult situations and has confirmed its role as a vital instrument for containing the threat of the spread of nuclear weapons. Without the stability afforded by the Treaty in the nuclear sphere, it would be impossible to ensure either global or regional stability. The Treaty has created the conditions for irreversible movement along the road to disarmament, above all nuclear disarmament, and has reduced the risk of nuclear war. Lastly, it has guaranteed the development of broad international cooperation in the peaceful uses of nuclear energy.

3. The review of the application of the Treaty at the four conferences of parties that have been held has confirmed the lasting value of this vital international legal instrument. The 25 years that have elapsed since its entry into force have convincingly demonstrated the effectiveness of the balanced structure of obligations it contains. It is a necessity for all countries, large and small, nuclear and non-nuclear.

4. The Treaty must continue to function fully and effectively in the future as well. Accordingly, the main task of this Conference must be to decide on its indefinite and unconditional extension. The Russian Federation is convinced that this approach for the future will accurately reflect the major role the Treaty on the Non-Proliferation of Nuclear Weapons plays in today's interdependent world.

5. The following sections contain material describing the role of the Russian Federation in ensuring compliance with all the provisions and articles of the Treaty in the interests of its effective functioning. In view of the significance States parties attach to the discharge of the obligations relating to nuclear disarmament (art. VI and the preamble of the Treaty), the explanations relating to this subject are given at the beginning of the report, before the discussion of the discharge or obligations under the other articles.

II. PROGRESS IN NUCLEAR DISARMAMENT

6. The Russian Federation is committed to the objective of reducing nuclear forces to a minimum level which would ensure the prevention of large-scale war, the maintenance of strategic stability and, eventually, the complete elimination of nuclear weapons.

7. In recent years, considerable progress has been achieved at the talks on the halting of the nuclear arms race and nuclear disarmament. The leading role in this process is being played by the Russian Federation and the United States of America; they have concluded the Treaty on the Elimination of Their Intermediate-range and Shorter-range Missiles (the INF Treaty), the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I) and the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II), which are leading to a real reduction in these countries' nuclear forces.

8. In accordance with the 1987 INF Treaty, which deals with ground-based ballistic and cruise missiles with a range of between 500 and 5,500 kilometres, 1,846 missiles were destroyed in the former USSR, and 846 in the United States. Thus, by the end of May 1991 an entire class of nuclear weapons in the arsenals of the two Powers had been eliminated.

9. The START I Treaty entered into force on 5 December 1994. In the context of the reductions provided for in it and in implementation of the unilateral initiatives announced in October 1991 and January 1992, the Russian Federation and the United States have taken, by mutual agreement, a number of major steps as a result of which their nuclear potential has been still further reduced.

10. Thus, the Russian Federation:

- Has eliminated more than 600 intercontinental ballistic missile (ICBM) and submarine-launched ballistic missile (SLBM) launchers, as well as about 1,500 missiles for these launchers;

- Removed from the fighting strength of the Russian Navy 20 nuclear submarines with SLBM launchers;

- Taken heavy bombers off alert status, and placed their nuclear weapons in military supply depots;

- Destroyed about 50 heavy bombers;

- Conducted measures for the detargeting of strategic missiles under agreements concluded with the United States, the United Kingdom and China;

- Halted production of long-range sea-launched nuclear cruise missiles and of Tu-95 MS heavy bombers.

11. In all, the START I Treaty will result in approximately a 40 per cent reduction in the nuclear weapons of the Russian Federation and the United States over a seven-year period.

12. Unilateral disarmament initiatives are also continuing in the field of tactical nuclear weapons. As part of their implementation, the Russian Federation has withdrawn a large of its tactical nuclear weapons to centralized storage facilities and factory-located facilities in order to destroy them. In particular:

- All tactical nuclear weapons have been withdrawn from surface naval vessels, multi-purpose submarines and land-based naval aircraft, and placed in centralized storage facilities. One third of the total number of warheads for the Navy's sea- and air-launched tactical missiles will have been destroyed by the end of this year;

- All the tactical nuclear warheads previously deployed outside the Russian Federation have been returned to its territory, and a start has been made on eliminating them;

- Production of nuclear warheads for land-based tactical missiles, nuclear artillery shells and nuclear mines has been completely discontinued.

13. The START II Treaty was signed on 3 January 1993. It provides for still more significant reductions in the nuclear arsenals of both States. By the year 2000, the deadline for completion of the reductions provided for in the Treaty, the total level of strategic warheads for offensive arms in the possession of each of the parties will not exceed 3,000-3,500, including 1,700-1,750 SLBM warheads. By the same time, neither party will be entitled to possess ICBMs with multiple re-entry vehicles, and all heavy ICBMs will have been destroyed. The total reduction in strategic offensive arms will be approximately two thirds of the 1990 level.

14. However, that is not all. The Russian Federation and the United States have outlined large-scale new measures. At their meeting held in Washington on 27 and 28 September 1994, the Presidents of the Russian Federation and the United States signed a joint statement on strategic stability and nuclear security, under the terms of which the parties agreed to make efforts for the early implementation of the bilateral agreements on strategic arms reduction.

15. The Presidents instructed their experts to intensify discussion inter alia of the possibility, after the early ratification of START II, of further reductions of, and limitations on, remaining nuclear forces.

16. The Russian Federation took this step in the belief that, with deep cuts in the Russian and American nuclear arsenals taking place, there was now a need for other nuclear States to participate in the process of nuclear arms reduction and limitation.

17. Accordingly, at the forty-ninth session of the General Assembly the President of the Russian Federation, in his statement on 26 September 1994,

proposed that a treaty on nuclear security and strategic stability should be elaborated by the five nuclear-weapon States, providing for:

- Cessation of the production of fissionable materials for military purposes;

- Prohibition of the recycling for weapons purposes of the nuclear materials released as a result of disarmament;

- Further elimination of nuclear weapons;

- Reduction of strategic means of delivery.

18. Naturally, the new Russian initiative takes into account the fact that the arsenals of the five nuclear Powers currently differ in size. Accordingly, the proposed measures will be implemented in stages, taking into account the specifics of their nuclear potential.

19. The Russian Federation also advocates the drafting at the Conference on Disarmament of a multilateral convention on the non-discriminatory and verifiable prohibition of the production of fissile materials for nuclear weapons.

20. Not only all the nuclear Powers, but also countries potentially capable of producing nuclear explosive devices or possessing the relevant facilities, primarily for the enrichment of uranium and the processing of spent fuel, should become parties to such a convention.

21. The future agreement should create a barrier to the further production of high-enriched uranium and plutonium for nuclear weapons and should make provision for appropriate monitoring, for which purpose it is proposed that the nuclear materials and facilities of countries acceding to the convention should be placed under IAEA safeguards.

22. Progress has been made in the practical preparation for the start of negotiations on the subject in Geneva, in that their mandate has been agreed upon.

23. The Russian Federation, for its part, has halted production of weapons-grade uranium. A national programme for the halting of the production of weapons-grade plutonium is under way. Of the 13 reactors designed to process weapons-grade plutonium, six have been completely shut down. It is planned to discontinue operation of the remaining three by the year 2000, as replacement capacity becomes available for the generation of heat and electricity.

24. As is especially emphasized in the preamble to the non-proliferation Treaty, one of the most important steps towards complete nuclear disarmament is the discontinuance of nuclear-weapons tests for all time. A complete test ban will still further strengthen the regime for the non-proliferation of nuclear weapons.

25. Through its active participation in the multilateral negotiations within the framework of the Conference on Disarmament in Geneva, the Russian Federation is working for the earliest possible completion of the drafting of a non-discriminatory comprehensive nuclear-test-ban treaty subject to effective international verification. Speaking at the forty-ninth session of the General Assembly, the President of the Russian Federation advocated the signing of the treaty in 1995.

26. The success of the negotiations does not depend only on the Russian Federation, and a process of finding solutions that are mutually acceptable both among the nuclear Powers and by the other participants in the negotiations is under way. A positive outcome of the work in 1994 was the preparation of a composite text of the draft of the future treaty. Its structure and a number of provisions have been agreed upon. Given the political will, there is a very real prospect of the negotiations being completed and the treaty submitted for signature in the very near future.

27. A favourable atmosphere for the negotiations on the complete banning of nuclear-weapon tests is created by the moratoriums on the conduct of such tests.

28. The Soviet Union, and subsequently the Russian Federation, have not conducted nuclear tests since 24 October 1990. This unilateral moratorium has been extended more than once. The Russian Federation will continue to maintain the moratorium proclaimed by presidential decree on 5 July 1993 for as long as the other nuclear Powers which have announced moratoriums observe theirs.

29. The provision of clearer security assurances to non-nuclear-weapon States against the use or threat of the use of nuclear weapons is an important factor in facilitating the strengthening of the nuclear non-proliferation regime and in international stability.

30. The new Security Council resolution on security assurances adopted in April 1995 builds on the provisions of Security Council resolution 255 (1968). It guarantees the provision of the relevant assistance by the Security Council in the event that a non-nuclear-weapon State party to the NPT is subjected to nuclear aggression or the threat of aggression.

31. The resolution takes note of the statements by the nuclear Powers on "negative assurances".

32. The Russian Federation, for its part, will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion of or any other attack on the Russian Federation, its territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

33. The Russian Federation is continuing in the context of the various multilateral negotiations, particularly those at the Conference on Disarmament, to take active steps for the prohibition of other types of weapons of mass destruction and for the limitation of conventional weapons. The steps in this

direction are in the spirit of the Treaty on the Non-Proliferation of Nuclear Weapons and are conducive to the strengthening of the non-proliferation regime.

34. The Russian Federation signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction in January 1993. It is participating in the persistent search for mutually acceptable solutions relating to certain of the procedures for implementation of the Convention which are being developed by a special mechanism, the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons at The Hague.

35. The Russian Federation is participating in the resolution of the remaining issues and working for the earliest possible entry into force of the chemical weapons convention, and is preparing the national legislative basis for the discharge of its obligations under the Convention.

36. The Russian Federation supports the efforts to strengthen the regime of the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The Special Conference of States parties to the Convention held at the end of September 1994 reviewed ways of strengthening the verification regime and took a decision on the starting in 1995 of negotiations on the development of a verification mechanism for the convention.

37. Serious steps have been taken in recent years to limit conventional weapons and armed forces, with the adoption of the Treaty on Conventional Armed Forces in Europe (1990), the Concluding Act of the Negotiations on Personnel Strength of Conventional Armed Forces in Europe (1992), the Vienna Document on confidence-building measures and security (1992-1994) and other agreements.

38. The non-proliferation Treaty is the sole multilateral agreement that legally binds the nuclear Powers to pursue negotiations in good faith on effective nuclear-disarmament measures. The results achieved here demonstrate that the nuclear arms race has been halted and reversed and that the Treaty is providing an incentive for further steps in this direction, leading to the complete elimination of nuclear weapons.

Articles I and II

39. Like the USSR in the past, the Russian Federation, as a nuclear-weapon State, has strictly observed its obligations under article 1 of the Treaty not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; in addition, the Russian Federation has not in any way assisted, encouraged, or induced any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

40. The Russian Federation has proceeded from the premise that the strict observance of article II of the Treaty is one of the principal ways to prevent the emergence of new nuclear-weapon States. In its relations with other

countries, the Russian Federation has unswervingly observed its obligations under article II of the Treaty.

41. In the complex conditions in which new independent States were formed in the territory of the former USSR, collective decisions were taken to prevent the proliferation of Soviet nuclear weapons. Owing to the efforts of the Russian Federation, Ukraine, Belarus, Kazakhstan and other countries, an international legal mechanism was set up providing not only for the removal of former Soviet nuclear weapons to the Russian Federation, but also for the elimination of most of them. Under the 1992 Lisbon Protocol, the Russian Federation remains the sole nuclear State in the territory of the former Soviet Union, and the three above-mentioned countries would accede to the non-proliferation Treaty as non-nuclear-weapon States (these agreements have already been carried out).

42. NPT has become a strong barrier against the spread of nuclear weapons and a standard of civilized behaviour on the part of States at the current time with the rapid structural changes occurring in the world.

Article III

43. In accordance with its obligations under this article of the Treaty, the Russian Federation has continued to provide nuclear material and equipment to non-nuclear-weapon States for peaceful purposes only if they are subject to IAEA safeguards.

44. Along with the other nuclear-weapon States that are nuclear suppliers, the Russian Federation participates in the work of amending and updating the list of nuclear materials and equipment, whose export, in accordance with article III of the Treaty, requires the application of IAEA safeguards, and has strictly abided by the list in its export policy. The Russian Federation continues to advocate that all countries which are nuclear suppliers should observe the principle of all-inclusive safeguards. At the present time, nuclear exports from the Russian Federation can be provided only to non-nuclear weapon countries all of whose nuclear activities are subject to IAEA control.

45. Since 1992, a new export monitoring system has been in effect in the Russian Federation, whereby the export and import of dual-use items which might be utilized to create nuclear explosive devices are licensed.

46. Considering the Agency's activities one of the key elements in the system of measures for ensuring and strengthening the nuclear non-proliferation regime, the Russian Federation helps in a comprehensive manner to enhance the effectiveness of the safeguards system, including the further elaboration of the concept of special inspections, inter alia, at undeclared facilities. At the same time, the practical activities of IAEA in implementing the safeguards should not hamper scientific and technical development or international cooperation by States in the peaceful use of nuclear energy and should be based on optimum utilization of the Agency's human and material resources.

47. In accordance with the IAEA safeguards agreement with the USSR of 10 June 1985, the Russian Federation has cooperated with the Agency in conducting inspections at its peaceful nuclear installations. In 1991, work was

completed on the construction, under IAEA safeguards, of a BN-600 fast reactor at the Beloyarsk nuclear power station, which is of specific interest for the Agency in view of the possible long-term trend in the development of nuclear energy (because of limited resources, IAEA did not apply safeguards at it). The list of Russian peaceful nuclear installations, from which the Agency can select facilities for inspection, has been expanded.

48. The Russian Federation also assisted the Agency in activities relating to safeguards by providing highly qualified specialists both to participate in inspection activities under Security Council resolution 687 (1991) and to evaluate the state of the former nuclear-weapon programme in South Africa. In addition, Russian experts participated in the work of advisory groups to develop approaches to evaluating the effectiveness of the application of the safeguards and in defining effective ways to improve technical monitoring means in applying the safeguards, as well as in the work of the Standing Advisory Group on Safeguards Implementation (SAGSI).

49. The Russian Federation continued to contribute to the technical development of the safeguards by conducting a considerable amount of work within the framework of the national programme of scientific and technical support for IAEA safeguards aimed at developing methods and procedures as well as technical means to be applied in the safeguards. From 1990 to 1995, approximately 600 million roubles were spent to finance work under the Russian national programme, in which the country's leading scientific research institutes and organizations participated.

50. Russian scientific research institutes are assisting the Agency in analysing samples of spent fuel gathered by IAEA specialists during inspections as well as samples of the environment taken in order to monitor undeclared activities relating to the processing and enrichment of nuclear materials. A small-scale spectrometric telluride cadmium-based detector with high energy resolution, which was widely used in the Agency for monitoring spent fuel, was developed within the framework of the national programme.

51. The annual holding of international training courses for IAEA inspectors in the Russian Federation has become a tradition: both for novice inspectors at the Novovoronezh nuclear power plant as well as for experienced inspectors in the construction of new nuclear installations under IAEA safeguards. In addition, Russian scientific institutions conducted courses for the staff of national systems for accounting for and monitoring nuclear materials.

52. The Russian Federation also participates in the "93 + 2" programme to enhance the effectiveness and efficiency of the IAEA safeguards system. Research is being conducted into the possibility of using environmental monitoring to detect signs of undeclared activities in the construction and testing of nuclear explosive devices. There are plans to define the indicators for nuclear-weapon activities, develop methods for selecting and analysing samples of the environment and determine the effectiveness of using such methods in international safeguards.

53. The Russian Federation favours greater international cooperation in order to halt the illegal sale of nuclear materials and to exchange information.

Ensuring the non-proliferation, physical protection, security and safe keeping of nuclear materials is an obligation of all sovereign States that have such materials and those States bear the responsibility for the consequences if nuclear materials disappear or are stolen or illegally moved. In addition, it is necessary to help IAEA to utilize its considerable potential in improving physical protection and developing systems for controlling and accounting for nuclear materials. Establishing bilateral cooperation between law enforcement bodies is important. The Russian Federation's most extensive relations in this regard are with Germany, with which it signed a bilateral memorandum on cooperation in preventing the illegal sale of nuclear materials. The Russian Federation cooperates in this area with other countries as well.

54. The IAEA safeguards system, which does not impede peaceful nuclear cooperation, is an effective instrument that strengthens trust in the compliance with the non-proliferation Treaty and the detection of unsanctioned activities. The system is a further factor for strengthening security, first and foremost at the regional level.

Article IV

55. The Russian Federation remains faithful to the principles of equitable international cooperation in the peaceful use of nuclear energy and providing assistance to developing countries and regions of the world in satisfying their wishes on the basis of non-discrimination, if they are legitimate and do not run counter to the Treaty. Of course, unlike non-parties to the Treaty, the non-nuclear-weapon States parties are creating the necessary conditions for acquiring equipment, materials and information in the nuclear field.

56. Like the USSR earlier, the Russian Federation is endeavouring, in accordance with the means available to it, to ensure broad access on the part of other countries to the benefits of the peaceful use of nuclear energy at both the bilateral and multilateral levels, inter alia, within the framework of IAEA. Many of these measures were carried out during the past five years.

57. The further development and introduction of nuclear power is one of the most important, long-term areas of cooperation. On the basis of Russian designs, 20 power units of 9,980 Mw total electric power were built and are in operation (in Bulgaria, the Czech Republic, Hungary, Finland and Slovakia). An additional 4 power units in Slovakia, 2 in the Czech Republic and 2 in Cuba are in various stages of construction.

58. Two intergovernmental agreements have been signed with the Islamic Republic of Iran on building nuclear power plants in Iranian territory and on cooperation in the peaceful use of nuclear energy.

59. Russian organizations provided a wide range of services in the construction of nuclear-power and other facilities in foreign countries:

- Surveying to select construction sites;

- Plant design, manufacture and delivery of equipment;

- Delivery of nuclear fuel and so forth.

60. From 1990 to 1994, spent nuclear fuel from nuclear power stations with VVER-440 reactors was shipped from Hungary, Finland, Ukraine and Slovakia to Russia for subsequent processing. In the framework of providing technical assistance to the United Nations and IAEA in implementation of Security Council resolutions 687 (1991) and 707 (1991) concerning the export of nuclear materials from Iraq, irradiated nuclear fuel from a research reactor in Iraq was shipped to the Russian Federation and processed. It should be pointed out in particular that the Iraqi side took all necessary steps to ensure the completion of the work in its territory.

61. Russian enterprises continued to provide many countries with services in the field of uranium enrichment.

62. In its cooperation with developing countries, the Russian Federation focuses on their vital needs. An example of this is the desalinization of sea water. On the basis of IAEA recommendations in this area, a national programme project to set up nuclear-powered desalinization plants for the cost-effective production of drinking water by the year 2000 and beyond was drawn up. At IAEA conferences held in 1994 in Vienna and Cairo on the desalinization of sea water, the Russian Federation submitted an improved design of a floating plant with a lower real cost on the basis of ship-borne nuclear reactors.

63. The Russian Federation drew up designs for nuclear heat-supply plants for countries with harsh climates.

64. It should also be pointed out that programmes for developing nuclear energy in the Russian Federation and the countries of Eastern Europe were considerably curtailed after the accident at the Chernobyl nuclear power plant. This reoriented international cooperation towards research into questions relating to nuclear security, where the Russian Federation cooperates widely with other countries in solving the problems of enhancing the safety of nuclear power.

65. In spite of the Russian Federation's complicated economic situation, the necessary resources were found to make regular voluntary contributions to the Technical Assistance and Cooperation Fund for developing countries that are members of IAEA. The Russian Federation's voluntary contribution for 1994 alone amounted to 3 billion roubles. Through IAEA, it supplies developing countries with electron accelerators, cyclotron systems, neutron generators, neutron radiography units, gamma-therapeutic apparatuses and other equipment, as well as materials: natural and enriched uranium, impoverished uranium, metallic zirconium, isotopes and radioactive compounds.

66. Within the framework of the IAEA technical assistance and cooperation programmes, Russian scientific research institutes and enterprises conduct training activities every year: courses, on-the-job training, probationary training and scientific visits for specialists from developing countries that are IAEA members, in which there are as many as 50 participants. Probationary training was conducted in the following fields:

- Radiological medicine,

- Biophysics and biochemistry,

- Conducting research with the use of cyclotrons,

- Practical work in the use of accelerators and neutron generators,

- Handling of radioactive waste etc.

67. Courses for training specialists from the International Nuclear Information System (INIS) and on the operation of liquid nitrogen production units are also held.

68. The non-proliferation Treaty established a unique structure of constantly expanding international cooperation in the field of the peaceful use of nuclear energy for decades to come. This structure is developing more and more possibilities for the social and economic development of the developing countries. The Russian Federation is prepared to continue to cooperate with these countries taking into account their requirements and specific characteristics.

Article V

69. Since the Fourth Conference, there has been not been evidence of any interest in obtaining benefits from the peaceful nuclear explosions provided for under this article.

Article VII

70. The Russian Federation continues to advocate the establishment of nuclear-weapon-free zones in various regions of the world, considering that this process helps to narrow the geographic sphere of nuclear preparations and thereby strengthen the non-proliferation regime.

71. The Russian Federation views the establishment of nuclear-weapon-free zones as an important factor for strengthening international peace and security, which promotes the development of disarmament processes at the global and regional levels.

72. Nuclear-weapon-free zones constitute good regional supplements to the NPT regime, and in a number of cases (the countries of South America), they create the prerequisites for subsequent accession by States to the Treaty. The Russian Federation has consistently supported the establishment of nuclear-weapon-free zones in the Middle East, Africa, South Asia and other regions of the world. It is a party to the corresponding protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the South Pacific Nuclear-Free Zone Treaty. Of course, Russia's position with regard to the transit of nuclear weapons through the territory of nuclear-weapon-free zones is that the generally recognized norms of international law, particularly the principle of freedom of navigation, must be strictly observed in concluding corresponding treaties. The scope of a treaty may not extend beyond the territory of the States parties,

including airspace and territorial waters, determined in accordance with international law.

Articles VIII, IX and X

73. The Russian Federation has provided all possible assistance for the preparation and holding of the Review Conferences and the implementation of the provisions of their Declarations.

74. Believing that the most important means of strengthening the Treaty is to expand further the number of States parties to it, the Russian Federation, together with the other depositary States has continued its active work to attract new States to the Treaty, particularly in regions of special importance with regard to the non-proliferation of nuclear weapons. Approximately 30 countries, including China and France, have acceded to the Treaty since 1990. The fact that there are more than 170 States parties to the Treaty demonstrates its almost universal character.

75. As a depositary of the Treaty, the Government of the Russian Federation has sent the corresponding notifications promptly to all the parties.

76. With regard to the convening of a conference 25 years after the entry into force of the Treaty as provided for under article X, the Russian Federation believes that decisions that introduce an element of uncertainty with regard to the fate of the Treaty will seriously undermine international trust and commitment to the objectives proclaimed in it, particularly nuclear disarmament. It is the Russian Federation's firm position that the Treaty, as a major international legal document of the nuclear age ensuring an optimum balance in terms of halting the spread of nuclear weapons, nuclear disarmament and cooperation in the peaceful uses of the atom, must be extended indefinitely and unconditionally. Such a decision by the Conference will lay the foundation for further progress in the twenty-first century towards a non-nuclear world in the future.

1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/26
27 April 1995
ENGLISH
ORIGINAL: CHINESE

New York, 17 April-12 May 1995

LETTER DATED 25 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS AND DEPUTY HEAD OF THE CHINESE DELEGATION ADDRESSED TO THE SECRETARY-GENERAL OF THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit to you China's national statement on security assurances (see annex).

I would be grateful if you could take the appropriate steps to register this letter and its annex as a document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and to have it distributed to the participants in the Conference.

(Signed) LI Zhaoxing
Ambassador
Permanent Representative
Deputy Head of the Chinese Delegation

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ANNEX

Statement on security assurances issued on 5 April 1995 by the People's Republic of China

For the purpose of enhancing international peace, security and stability and facilitating the realization of the goal of complete prohibition and thorough destruction of nuclear weapons, China hereby declares its position on security assurances as follows:

1. China undertakes not to be the first to use nuclear weapons at any time or under any circumstances.

2. China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. This commitment naturally applies to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons or non-nuclear-weapon States that have entered into any comparable internationally binding commitments not to manufacture or acquire nuclear explosive devices.

3. China has always held that, pending the complete prohibition and thorough destruction of nuclear weapons, all nuclear-weapon States should undertake not to be the first to use nuclear weapons and not to use or threaten to use such weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. China strongly calls for the early conclusion of an international convention on the non-first use of nuclear weapons as well as an international legal instrument assuring the non-nuclear-weapon States and nuclear-weapon-free zones against the use or threat of use of nuclear weapons.

4. China, as a permanent member of the United Nations Security Council, undertakes to take action within the Council to ensure that the Council takes appropriate measures to provide, in accordance with the Charter of the United Nations, necessary assistance to any non-nuclear-weapon State that comes under attack from nuclear weapons, and to impose strict and effective sanctions on the attacking State. This commitment naturally applies to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons or to any non-nuclear-weapon State that has entered into any comparable internationally binding commitment not to manufacture or acquire nuclear explosive devices, in the event of aggression involving the use of nuclear weapons or the threat of such aggression against the State.

5. The positive security assurance provided by China, as contained in paragraph 4, does not in any way compromise China's position as set out in paragraph 3 and shall not in any way be construed as endorsing the use of nuclear weapons.

1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/27
1 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

Note by the Secretariat

The attached document, received by the Secretariat, is circulated for information.

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Annex

Letter dated 18 April 1995 from the Chargé d'affaires a.i. of Yugoslavia to the United Nations addressed to the Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

I have the honour to transmit herewith a statement of the Government of the Federal Republic of Yugoslavia on the occasion of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

I should be grateful if you would have the present letter and its appendix circulated as a document of the Conference.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

APPENDIX

Statement issued on 14 April 1995 by the Government of Yugoslavia

The Federal Republic of Yugoslavia, as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, received with shock and dismay the denial of its right to a fully fledged participation in the work of the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons.

Throughout the validity of this Treaty, the Federal Republic of Yugoslavia has demonstrated its firm commitment to the maintenance of international peace and security through general and complete disarmament, nuclear disarmament in particular, and the broadening of cooperation in the use of nuclear energy for peaceful purposes.

The Federal Republic of Yugoslavia considers that the adherence to an international treaty is the matter of the sovereign will of each State and that no one, except that State, can decide on its behalf on its status in that treaty.

The Government of the Federal Republic of Yugoslavia assesses the prevention of the representatives of the Federal Republic of Yugoslavia from taking part in the work of the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons as illegitimate and as an arrogation of the right by the depositary State to determine the status of the State parties to the said Treaty.

Proceeding from the basic principles of the international law of treaties, the Government of the Federal Republic of Yugoslavia continues to firmly maintain the position that the rights and obligations under international treaties cannot be separated without bringing into question the status of States parties to such treaties.

The unprecedented act, imposed upon the Review Conference in the case of the Federal Republic of Yugoslavia, is not only contrary to the international law of treaties, but stands in outright contravention of the letter and spirit of the Non-Proliferation Treaty itself. This practice blurs the legal and political situation enveloping the country towards which such practice is intended to be applied. Rather than contributing to the non-proliferation of nuclear weapons, such an act creates ambiguous situations which are conducive to opposite behaviour.

The Government of the Federal Republic of Yugoslavia therefore resolutely demands from NPT depositary States, which bear special responsibility, not to allow the threatening of the substance and spirit of the Treaty on the Non-Proliferation of Nuclear Weapons and to enable the Federal Republic of Yugoslavia, as a party to the Treaty, to participate as a fully fledged member in the forthcoming Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons scheduled to begin on 17 April 1995.